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<b>To:</b>	Examiner Jeffrey R. Jastrzab Art Unit: 3762	<b>Fax:</b>	(703) 872-9306
<b>From:</b>	Patrick J.S. Inouye <i>[Signature]</i>	<b>Date:</b>	October 11, 2004
<b>Re:</b>	U.S. Patent Application Serial No. 10/646,083	<b>Pages:</b>	8 (including cover sheet)
<b>CC:</b>			
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**Notes:**

Examiner Jastrzab:

Please find attached the following documents regarding the above-identified U.S. patent application.

- USPTO Transmittal Form
- USPTO Fee Transmittal Form
- Credit Card Payment for \$220.00
- Office Action Response
- Terminal Disclaimer To Obviate A Double Patenting Rejection Over Prior Patents
- Terminal Disclaimer To Obviate A Double Patenting Rejection Over Pending Second Application

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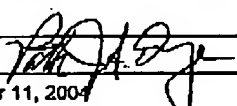
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/646,083
	Filing Date	August 22, 2003
	First Named Inventor	Bardy, Gust H.
	Art Unit	3762
	Examiner Name	Jeffrey R. Jastrzab
Total Number of Pages in This Submission	Attorney Docket Number	020.0344.US.CON

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Law Offices of Patrick J.S. Inouye
Signature	
Date	October 11, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Krystyna Szul		
Signature		Date	October 11, 2004

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Response to First Office Action  
Docket No. 020.0344.US.CON

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5     *In re* Application of )  
      Gust H. Bardy     ) Group Art Unit: 3762  
                          )   
      Serial No. 10/646,083     ) Examiner: Jeffrey R. Jastrzab  
                          )   
10    Filed: August 22, 2003     )  
                          )   
      For: System And Method For Providing     )  
          Feedback To An Individual Patient For     )  
          Automated Remote Patient Care     )

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**RESPONSE TO FIRST OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
20    Alexandria, VA 22313-1450

Examiner Jastrzab:

In response to the Office action mailed on September 29, 2004 for the above-referenced patent application, please consider the following remarks.

25       Claims 1-32 are pending. No claims have been amended. Claims 1-32 remain in this application. No new matter has been entered.

      Claims 1-32 stand rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-23 of commonly-assigned U.S. Patent No. 6,203,495 ('495), Claims 1-62 of commonly-assigned U.S. Patent No. 6,312,378 ('378), Claims 1-15 of commonly-assigned U.S. Patent No. 6,331,160 ('160), and Claims 1-19 of commonly-assigned U.S. Patent No. 6,478,737 ('737).

30       A Terminal Disclaimer is enclosed disclaiming the terminal part of any patent granted on the instant patent application that would extend beyond the expiration dates of the '495, '378, '160, and '737 patents. Withdrawal of the  
35    rejection for double-patenting is respectfully requested.

      Claims 1-32 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-23 of co-pending U.S. Patent Application No. 10/646,084, filed on August 22, 2003.

OA Response

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